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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

5 NORTH AMERICAN CAPACITY INSURANCE No. C 03-05521 SBA
6 COMPANY,

7 Plaintiff,

ORDER

8 v.

[Docket Nos. 63 and 66]

9 TURNER CONSTRUCTION CO., et al.,

10 Defendants.

11 By Order of this Court on March 10, 2005, the Court dismissed this action and provided that any
12 party could move within forty-five (45) days of the date of the Order to reopen the case in the event that
13 settlement had not been reached [Docket No. 63].

14 On April 20, 2005, Plaintiff North American Capacity Insurance Company ("North American")
15 filed a timely request to modify the Court's March 10, 2005 Order. North American's request indicated
16 that the parties had reached a settlement, but had not yet finalized the settlement agreement. North
17 American requested modification of the Court's March 10, 2005 Order to provide that the case would be
18 dismissed with prejudice unless reopened by May 25, 2005. Pursuant to North American's request, on
19 April 26, 2005, the Court issued an Order modifying its March 10, 2005 Order [Docket No. 66]. The
20 April 26, 2005 Order provided that the above-captioned case would be dismissed with prejudice unless
21 reopened by May 25, 2005.

22 By letter to this Court, dated May 20, 2005, North American has requested an additional extension
23 of time, such that the parties would have until June 24, 2005 to move to reopen the case. In the letter,
24 North American explains that an additional three to four weeks is necessary to finalize the settlement
25 agreement.

26 For good cause shown,

27 IT IS HEREBY ORDERED that the parties have until June 24, 2005 to finalize the settlement of
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1 the above-captioned case. In the event that settlement is not reached, any party may move to reopen the
2 case and the trial will be rescheduled, provided that such motion is filed on or before June 24, 2005.

3 IT IS SO ORDERED.

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5 Dated: 5-24-05

/s/ Sandra Brown Armstrong
SAUNDRA BROWN ARMSTRONG
United States District Judge